

Notice of Allowability

Application No.

10/688,002

Examiner

Syed Y. Hasan

Applicant(s)

HERBERGER ET AL.

Art Unit

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 10/22/2007.
2. ☒ The allowed claim(s) is/are 1 - 21.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 10/16/2003
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

Allowable Subject Matter

1. Claims 1 - 21 are allowed.
2. The following is a statement of reasons for the indication of allowable subject matter:

The present invention of claims 1 - 21 is directed to a system and method for improved video editing.

Independent claim 1 identifies the unique distinct feature "each of said at least one themed templates containing a plurality of media cells therein, each of said media cells having a cell theme that is related to the theme of the template containing it."

The closest prior art, Ma (US 2003/0215214) discloses a method of assisting a user compose a video work (page 1, para 0001) wherein is provided at least one themed template (page 11, para 0010) but does not disclose each of said at least one themed templates containing a plurality of media cells therein, each of said media cells having a cell theme that is related to the theme of the template containing it

Hence claim 1 is allowed.

Since claims 2 - 8 are dependent on claim 1, therefore they are allowed.

Independent claim 9 identifies the unique distinct feature "each of said at least one themed templates containing a plurality of themed video cells therein and a plurality of audio tracks and at least one annotation cell,"

Claim 9 is allowed for the reasons mentioned in claim 1 above.

Hence claim 9 is allowed.

Since claims 10 - 13 are dependent on claim 9, therefore they are allowed.

Independent claim 14 identifies the unique distinct feature "each of said at least one themed templates containing a plurality of video cells therein, wherein each of said video cells within a particular template has a theme related to a theme of said particular template."

Claim 14 is allowed for the reasons mentioned in claim 1 above.

Hence claim 14 is allowed.

Since claims 15 - 21 are dependent on claim 1, therefore they are allowed.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Syed Y. Hasan whose telephone number is 571-270-1082. The examiner can normally be reached on 9/8/5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on 571-272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

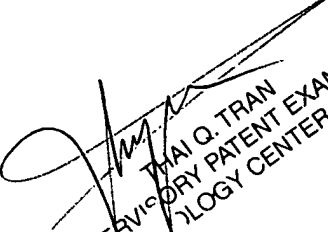
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

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USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

S. Y. H.
12/30/2007


THAI Q. TRAN
SUPERVISORY PATENT EXAMINER
BIOLOGY CENTER 2600